

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 220**

Introduced by Cunningham, 40

Read first time January 7, 2005

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-462,  
2 60-480, 60-4,112, 60-4,120.01, 60-4,120.02, 60-4,123,  
3 60-4,124, 60-4,125, and 60-6,267, Reissue Revised  
4 Statutes of Nebraska; to change provisions relating to  
5 provisional operator's permits, school permits,  
6 LPD-learner's permits, and LPE-learner's permits; to  
7 require the use of occupant protection systems as  
8 prescribed; to eliminate provisions regarding operation  
9 of a motor vehicle; to harmonize provisions; to provide  
10 an operative date; to repeal the original sections; and  
11 to outright repeal section 60-4,123.01, Reissue Revised  
12 Statutes of Nebraska.  
13 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 60-462, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-462.   Sections 60-462 to 60-4,188 and section 8 of  
4 this act shall be known and may be cited as the Motor Vehicle  
5 Operator's License Act.

6                   Sec. 2.   Section 60-480, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8                   60-480.   Operators' licenses issued by the Department of  
9 Motor Vehicles pursuant to the Motor Vehicle Operator's License Act  
10 shall be classified as follows:

11                   (1) Class O license.   The operator's license which  
12 authorizes the person to whom it is issued to operate on highways  
13 any motor vehicle except a commercial motor vehicle or motorcycle;

14                   (2) Class M license.   The operator's license or  
15 endorsement on a Class O license, provisional operator's permit,  
16 learner's permit, school permit, or commercial driver's license  
17 which authorizes the person to whom it is issued to operate a  
18 motorcycle on highways;

19                   (3) CDL-commercial driver's license.   The operator's  
20 license which authorizes the person to whom it is issued to operate  
21 a class of commercial motor vehicles or any motor vehicle, except a  
22 motorcycle, on highways;

23                   (4) RCDL-restricted commercial driver's license.   The  
24 class of commercial driver's license which, when held with an  
25 annual seasonal permit, authorizes a seasonal commercial motor  
26 vehicle operator as defined in section 60-4,146.01 to operate any  
27 Class B Heavy Straight Vehicle or Class C Small Vehicle commercial  
28 motor vehicle for purposes of a farm-related or ranch-related

1 service industry as defined in such section within one hundred  
2 fifty miles of the employer's place of business or the farm or  
3 ranch currently being served as provided in such section or any  
4 other motor vehicle, except a motorcycle, on highways;

5 (5) POP-provisional operator's permit. A motor vehicle  
6 operating permit with restrictions issued pursuant to section  
7 60-4,120.01 to a person who is at least sixteen years of age but  
8 less than eighteen years of age which authorizes the person to  
9 operate any motor vehicle except a commercial motor vehicle or  
10 motorcycle;

11 (6) SCP-school permit. A permit issued to a student  
12 between fourteen years and two months of age and sixteen years of  
13 age for the purpose of driving ~~to and from school~~ in accordance  
14 with the requirements of subsection (4) of section 60-4,124;

15 (7) FMP-farm permit. A permit issued to a person for  
16 purposes of operating farm tractors and other motorized implements  
17 of farm husbandry on highways in accordance with the requirements  
18 of section 60-4,126;

19 (8) LPC-learner's permit. A permit which when held in  
20 conjunction with a Class O license or commercial driver's license  
21 authorizes a person to operate a commercial motor vehicle for  
22 learning purposes when accompanied by a person who is at least  
23 twenty-one years of age;

24 (9) LPD-learner's permit. A permit issued in accordance  
25 with the requirements of section 60-4,123 to a person at least  
26 fifteen years of age which authorizes the person to operate a motor  
27 vehicle, except a commercial motor vehicle, for learning purposes  
28 when accompanied by a licensed operator who is at least twenty-one

1 years of age and who possesses a valid operator's license issued by  
2 this state or another state;

3 (10) LPE-learner's permit. A permit issued to a person  
4 at least fourteen years of age which authorizes the person to  
5 operate a motor vehicle, except a commercial motor vehicle, while  
6 learning to drive in preparation for application for a school  
7 permit;

8 (11) EDP-employment driving permit. A permit issued to a  
9 person which authorizes the person to operate a motor vehicle,  
10 except a commercial motor vehicle, pursuant to the requirements of  
11 sections 60-4,129 and 60-4,130;

12 (12) SEP-seasonal permit. A permit issued to a person  
13 who holds a restricted commercial driver's license authorizing the  
14 person to operate a commercial motor vehicle, as prescribed by  
15 section 60-4,146.01, for no more than one hundred eighty  
16 consecutive days in any twelve-month period. The seasonal permit  
17 shall be valid and run from the date of original issuance of the  
18 permit for one hundred eighty days and from the date of annual  
19 revalidation of the permit; and

20 (13) MHP-medical hardship driving permit. A permit  
21 issued to a person which authorizes the person to operate a motor  
22 vehicle, except a commercial motor vehicle, pursuant to the  
23 requirements of sections 60-4,130.01 and 60-4,130.02.

24 Sec. 3. Section 60-4,112, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 60-4,112. Sections 60-4,113 to 60-4,130.05 and section 8  
27 of this act shall apply to the operation of any motor vehicle  
28 except a commercial motor vehicle.

1                   Sec. 4. Section 60-4,120.01, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-4,120.01.     (1) ~~Any~~ A person who is at least sixteen  
4 years of age but less than eighteen years of age and who has a  
5 valid LPD-learner's permit, LPE-learner's permit or school permit  
6 may be issued a provisional operator's permit by the Department of  
7 Motor Vehicles. The provisional operator's permit shall expire on  
8 the applicant's eighteenth birthday. The requirements for the  
9 provisional operator's permit prescribed in subdivisions (2)(a) and  
10 (b) of this section may be completed prior to the applicant's  
11 sixteenth birthday. A person may apply for a provisional  
12 operator's permit and take the driving test and the written  
13 examination, if required, at any time within sixty days prior to  
14 his or her sixteenth birthday upon proof of age in the manner  
15 provided in section 60-484.

16                   (2) In order to obtain a provisional operator's permit,  
17 the applicant shall surrender his or her LPD-learner's permit,  
18 LPE-learner's permit, or school permit and shall present to the  
19 examiner:

20                   (a) (i) ~~proof~~ Proof of successful completion of a  
21 department-approved driver safety course which includes  
22 behind-the-wheel driving specifically emphasizing (A) the effects  
23 of the consumption of alcohol on a person operating a motor  
24 vehicle, (B) occupant protection systems, (C) risk assessment, and  
25 (D) railroad crossing safety and (ii) proof of successful  
26 completion of a written examination and driving test administered  
27 by a driver safety course instructor; or

28                   (b) ~~a~~ A certificate in a form prescribed by the

1 department, signed by a parent, guardian, or licensed driver at  
2 least twenty-one years of age, verifying that the applicant has  
3 completed fifty hours of lawful motor vehicle operation, under  
4 conditions that reflect department-approved driver safety course  
5 curriculum, with a parent, guardian, or adult at least twenty-one  
6 years of age, who has a ~~current~~ valid Nebraska operator's license  
7 or who is licensed in another state. If the applicant presents  
8 such a certificate, the applicant shall be required to successfully  
9 complete a driving test administered by an examiner of the  
10 department. The written examination shall be waived if the  
11 applicant surrenders a Nebraska LPD-learner's permit issued after  
12 January 1, 1999, and such permit is valid or has expired no more  
13 than one year prior to surrender. However, the department shall  
14 not waive the written examination if the provisional operator's  
15 permit being applied for contains a class or endorsement which is  
16 different from the class or endorsement of the LPD-learner's  
17 permit.

18 (3) (a) The department shall not approve a driver safety  
19 course for purposes of this section unless one of the requirements  
20 for attending the course is holding a valid LPD-learner's or  
21 LPE-learner's permit. Upon presentation to the examiner by the  
22 applicant of a form prescribed by the department showing successful  
23 completion of the driver safety course, the examiner shall waive  
24 the written examination and driving test. Upon presentation to the  
25 examiner of the certificate, the examiner shall waive the written  
26 examination but not the driving test. The written examination  
27 shall not be waived if the provisional operator's permit being  
28 applied for contains a class or endorsement which is different from

1 the class or endorsement of the LPD-learner's permit or  
2 LPE-learner's permit or if the LPE-learner's permit was issued  
3 prior to January 1, 2006.

4       (b) The examiner shall waive the written examination and  
5 the driving test if the applicant has been issued a school permit  
6 and such permit is valid or has expired no more than one year prior  
7 to application. The written examination shall not be waived if the  
8 provisional operator's permit being applied for contains a class or  
9 endorsement which is different from the class or endorsement of the  
10 school permit.

11       (c) If an applicant for a provisional operator's permit  
12 has previously shown proof of completion of a department-approved  
13 driver safety course meeting the specifications of subdivision  
14 (2) (a) of this section or has shown proof of completion of fifty  
15 hours of lawful motor vehicle operation as described in subdivision  
16 (2) (b) of this section and been issued an LPD-learner's permit,  
17 LPE-learner's permit, or school permit which has not been canceled,  
18 suspended, or revoked, then the applicant does not have to repeat  
19 the driver safety course or fifty hours of lawful motor vehicle  
20 operation to be issued a provisional operator's permit.

21       (d) A person who is less than eighteen years of age and  
22 who holds a motor vehicle operator's license or permit that was  
23 issued by another state and that is not suspended, revoked, or  
24 canceled shall be exempt from the requirement of obtaining a  
25 Nebraska LPE-learner's or LPD-learner's permit prior to the  
26 completion of the fifty hours of lawful motor vehicle operation but  
27 shall be required to complete the written examination and the  
28 driving test.

1           ~~(3)~~ (4) The holder of a provisional operator's permit  
2 shall only operate a motor vehicle on the highways of this state  
3 during the period beginning at 6 a.m. and ending at 12 midnight  
4 except when he or she is en route to or from his or her residence  
5 to his or her place of employment or a school activity. The holder  
6 of a provisional operator's permit may operate a motor vehicle on  
7 the highways of this state at any hour of the day or night if  
8 accompanied by a parent, guardian, or adult at least twenty-one  
9 years of age, who has a ~~current~~ valid Nebraska operator's license  
10 or who is licensed in another state.

11           ~~(4)~~ (5) The county treasurer shall collect the fee  
12 prescribed in section 60-4,115 for the issuance of each provisional  
13 operator's permit.

14           Sec. 5. Section 60-4,120.02, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16           60-4,120.02. (1) Any person convicted of violating a  
17 provisional operator's permit issued pursuant to section  
18 60-4,120.01 by operating a motor vehicle in violation of subsection  
19 ~~(3)~~ (4) of such section shall be guilty of an infraction and may  
20 have his or her provisional operator's permit revoked by the court  
21 pursuant to section 60-496 for a time period specified by the  
22 court. Before such person applies for another provisional  
23 operator's permit, he or she shall pay a reinstatement fee as  
24 provided in section 60-499.01 after the period of revocation has  
25 expired.

26           (2) A copy of an abstract of the court's conviction,  
27 including an adjudication, shall be transmitted to the director  
28 pursuant to sections 60-497.01 to 60-497.04.



1           (3) For purposes of this section, conviction includes any  
2 adjudication of a juvenile.

3           Sec. 6.     Section 60-4,123, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           60-4,123. (1) Any person who is at least fifteen years  
6 of age may apply for an LPD-learner's permit from the Department of  
7 Motor Vehicles. A person is required to have a valid LPD-learner's  
8 or LPE-learner's permit in order to take the department-approved  
9 driver safety course prescribed in subdivision (2)(a) of section  
10 60-4,120.01. In order to obtain an LPD-learner's permit, the  
11 applicant shall successfully complete a written examination. A  
12 person may take the written examination beginning sixty days prior  
13 to his or her fifteenth birthday but shall not be issued a permit  
14 until he or she is fifteen years of age.

15           ~~(2) Upon successful completion of the written examination~~  
16 ~~and the payment of a fee, the applicant shall be issued an~~  
17 ~~LPD-learner's permit from the county treasurer.~~ The permit shall  
18 be valid for twelve months.

19           (2) The department shall waive the written examination if  
20 the applicant surrenders a school permit or surrenders an  
21 LPE-learner's permit issued after January 1, 2006, and if such  
22 permit is valid or has expired no more than one year prior to  
23 application. The written examination shall not be waived if the  
24 permit being applied for contains a class or endorsement which is  
25 different from the class or endorsement of the school permit or  
26 LPE-learner's permit.

27           (3) The holder of an LPD-learner's permit shall only  
28 operate a motor vehicle on the highways of this state if he or she

1 is accompanied at all times by a licensed operator who is at least  
2 twenty-one years of age and who has ~~been licensed by this state or~~  
3 a valid Nebraska operator's license or who is licensed in another  
4 state and if he or she is actually occupying the seat beside the  
5 licensed operator or, in the case of a motorcycle or moped, if he  
6 or she is within visual contact of and under the supervision of, in  
7 the case of a motorcycle, a licensed motorcycle operator or, in the  
8 case of a moped, a licensed motor vehicle operator.

9 (4) The county treasurer shall collect the fee prescribed  
10 in section 60-4,115 for the issuance of each LPD-learner's permit.

11 Sec. 7. Section 60-4,124, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 60-4,124. (1) A person who is younger than sixteen years  
14 of age but is over fourteen years and two months of age, who has  
15 held a valid LPE-learner's or LPD-learner's permit for at least two  
16 months, and who has successfully completed a driving test and  
17 written examination, if required, may be issued, by the county  
18 treasurer, a school permit to drive a motor vehicle, moped, or  
19 motorcycle to and from where he or she attends school by the  
20 nearest highway from his or her place of residence if such person  
21 lives a distance of one and one-half miles or more from such the  
22 school he or she attends and either resides outside a city of the  
23 metropolitan, primary, or first class or attends a school which is  
24 outside a city of the metropolitan, primary, or first class. A  
25 school permit shall be used for the sole purpose of transporting  
26 such person or any family member who resides with such person to  
27 attend school, except that the holder of the permit may drive under  
28 the personal supervision of a licensed operator. Such licensed

1 operator shall be at least twenty-one years of age and licensed by  
2 this state or another state and shall actually occupy the seat  
3 beside the permitholder or, in the case of a motorcycle or moped,  
4 if the permitholder is within visual contact of and under the  
5 supervision of, in the case of a motorcycle, a licensed motorcycle  
6 operator or, in the case of a moped, a licensed motor vehicle  
7 operator. A school permit shall not be issued until such person  
8 has appeared before an examiner to demonstrate that he or she is  
9 capable of successfully operating a motor vehicle, moped, or  
10 motorcycle and has in his or her possession an examiner's  
11 certificate authorizing the county treasurer to issue a school  
12 permit.

13           Any such person desiring a school permit may first obtain  
14 an LPE-learner's permit from the county treasurer, which permit  
15 shall be valid for a period of two months. An LPE-learner's permit  
16 shall not be issued until such person demonstrates that he or she  
17 has sufficient powers of eyesight to safely operate a motor  
18 vehicle, moped, or motorcycle. While holding the LPE-learner's  
19 permit, the person may operate a motor vehicle on the highways of  
20 this state if he or she has seated next to him or her a person who  
21 is a licensed operator or, in the case of a motorcycle or moped, if  
22 he or she is within visual contact of and is under the supervision  
23 of a person who, in the case of a motorcycle, is a licensed  
24 motorcycle operator or, in the case of a moped, is a licensed motor  
25 vehicle operator. Such licensed motor vehicle or motorcycle  
26 operator shall be at least twenty-one years of age and licensed by  
27 this state or another state.

28           (2) In order to obtain a school permit, the applicant

1 shall surrender a valid LPE-learner's or LPD-learner's permit and  
2 shall present an examiner's certificate authorizing the county  
3 treasurer to issue a school permit. In order to obtain an  
4 examiner's certificate for a school permit, the applicant shall  
5 present to the examiner:

6 (a) (i) Proof of successful completion of a  
7 department-approved driver safety course, which includes  
8 behind-the-wheel driving, specifically emphasizing (A) the effects  
9 of the consumption of alcohol on a person operating a motor  
10 vehicle, (B) occupant protection systems, (C) risk assessment, and  
11 (D) railroad crossing safety and (ii) proof of successful  
12 completion of a written examination and driving test administered  
13 by a driver safety course instructor; or

14 (b) A certificate in a form prescribed by the department,  
15 signed by a parent, guardian, or licensed driver at least  
16 twenty-one years of age, verifying that the applicant has completed  
17 fifty hours of lawful motor vehicle operation, under conditions  
18 that reflect department-approved driver safety course curriculum,  
19 with a parent, guardian, or adult at least twenty-one years of age,  
20 who has a valid Nebraska operator's license or who is licensed in  
21 another state.

22 (3) (a) The department shall not approve a driver safety  
23 course for purposes of this section unless one of the requirements  
24 for attending the course is holding a valid LPE-learner's or  
25 LPD-learner's permit. Upon presentation to the examiner by the  
26 applicant of a form prescribed by the department showing successful  
27 completion of the driver safety course, the examiner shall waive  
28 the written examination and driving test. Upon presentation to the

1 examiner of the certificate, the examiner shall waive the written  
2 examination but not the driving test. The written examination  
3 shall not be waived if the school permit being applied for contains  
4 a class or endorsement which is different from the class or  
5 endorsement of the LPE-learner's permit or LPD-learner's permit or  
6 if the LPE-learner's permit was issued prior to January 1, 2006.

7 (b) A person who is younger than sixteen years of age but  
8 is over fourteen years and two months of age and who holds a motor  
9 vehicle operator's license or permit that was issued by another  
10 state and that is not suspended, revoked, or canceled shall be  
11 exempt from the requirement of obtaining a Nebraska LPE-learner's  
12 or LPD-learner's permit prior to completion of the fifty hours of  
13 lawful motor vehicle operation but shall be required to complete  
14 the written examination and the driving test.

15 (4) A person holding a school permit may only operate a  
16 motor vehicle, moped, or motorcycle:

17 (a) To transport such person or any family member who  
18 resides with such person over the most direct and accessible route  
19 from his or her place of residence to and from where such person  
20 attends school for duly scheduled courses of instruction and  
21 extracurricular activities sponsored by the school and to and from  
22 extracurricular activities sponsored by the school such person  
23 attends and held at a school facility located within the same  
24 school district. A person holding a school permit shall only  
25 operate a motor vehicle on the highways of this state immediately  
26 prior to or after such duly scheduled courses of instruction and  
27 extracurricular activities during the period beginning at 6 a.m.  
28 and ending at 12 midnight and shall not transport any family member

1 to an attendance center other than the one the person holding the  
2 school permit attends; or

3 (b) Under the personal supervision of a licensed  
4 operator. Such licensed operator shall be at least twenty-one  
5 years of age, shall hold a valid Nebraska operator's license or be  
6 licensed in another state, and shall actually occupy the seat  
7 beside the permitholder or, in the case of a motorcycle or moped,  
8 if the permitholder is within visual contact of and under the  
9 supervision of, in the case of a motorcycle, a licensed motorcycle  
10 operator or, in the case of a moped, a licensed motor vehicle  
11 operator.

12 (5) The county treasurer shall collect the fee prescribed  
13 in section 60-4,115 from each successful applicant for a school ~~or~~  
14 ~~LPE-learner's~~ permit. All school permits shall be subject to  
15 revocation under the terms of section 60-496. ~~Any person who~~  
16 ~~violates the terms of a school permit shall be guilty of an~~  
17 ~~infraction and shall not be eligible for another operator's license~~  
18 ~~or school, farm, LPD-learner's, or LPE-learner's permit until he or~~  
19 ~~she has attained the age of sixteen years.~~

20 Sec. 8. (1) A person who is younger than sixteen years  
21 of age but is over fourteen years of age may be issued an  
22 LPE-learner's permit if such person lives a distance of one and  
23 one-half miles or more from the school he or she attends and either  
24 resides outside a city of the metropolitan, primary, or first class  
25 or attends a school which is outside a city of the metropolitan,  
26 primary, or first class. A person is required to have a valid  
27 LPE-learner's or LPD-learner's permit in order to take the  
28 department-approved driver safety course prescribed in section

1 60-4,124. An LPE-learner's permit shall not be issued until such  
2 person provides proof of successful completion of a written  
3 examination. A person may take the written examination beginning  
4 sixty days prior to his or her fourteenth birthday but shall not be  
5 issued a permit until he or she is fourteen.

6 (2) The permit shall be valid for two years or until the  
7 permitholder reaches sixteen years of age or surrenders the permit,  
8 whichever occurs first.

9 (3) While holding the LPE-learner's permit, the person  
10 may operate a motor vehicle on the highways of this state if he or  
11 she has seated next to him or her a person who is a licensed  
12 operator or, in the case of a motorcycle or moped, if he or she is  
13 within visual contact of and is under the supervision of a person  
14 who, in the case of a motorcycle, is a licensed motorcycle operator  
15 or, in the case of a moped, is a licensed motor vehicle operator.  
16 Such licensed motor vehicle or motorcycle operator shall be at  
17 least twenty-one years of age and shall hold a valid Nebraska  
18 operator's license or be licensed in another state.

19 (4) The county treasurer shall collect the fee prescribed  
20 in section 60-4,115 from each successful applicant for an  
21 LPE-learner's permit.

22 Sec. 9. Section 60-4,125, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 60-4,125. For any minor convicted or adjudicated of  
25 violating the terms of an LPD-learner's permit issued pursuant to  
26 section 60-4,123, ~~or~~ an LPE-learner's permit issued pursuant to  
27 section 8 of this act, or a school permit issued pursuant to  
28 section 60-4,124, the court shall, in addition to any other penalty

1 or disposition, order the impoundment or revocation of such  
2 ~~learner's~~ permit and order that such minor shall not be eligible  
3 for another operator's license or school, farm, LPD-learner's, or  
4 LPE-learner's permit until he or she has attained the age of  
5 sixteen years.

6 A copy of the court's abstract or adjudication shall be  
7 transmitted to the director who shall place in an impound status or  
8 revoke the LPD-learner's ~~ex~~ permit, LPE-learner's permit, or school  
9 permit of such minor in accordance with the order of the court and  
10 not again issue another operator's license or school, farm,  
11 LPD-learner's, or LPE-learner's permit to such minor until such  
12 minor has attained the age of sixteen years.

13 Sec. 10. Section 60-6,267, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15 60-6,267. (1) Any person in Nebraska who drives any  
16 motor vehicle which has or is required to have an occupant  
17 protection system shall ensure that:

18 (a) All children up to six years of age being transported  
19 by such vehicle use a child passenger restraint system of a type  
20 which meets Federal Motor Vehicle Safety Standard 213 as developed  
21 by the National Highway Traffic Safety Administration, as such  
22 standard existed on January 1, 2004, and which is correctly  
23 installed in such vehicle; and

24 (b) All children six years of age and less than eighteen  
25 years of age being transported by such vehicle use an occupant  
26 protection system.

27 This subsection shall apply to every motor vehicle which  
28 is equipped with an occupant protection system or is required to be



1 equipped with restraint systems pursuant to Federal Motor Vehicle  
2 Safety Standard 208, as such standard existed on January 1, 2004,  
3 except taxicabs, mopeds, motorcycles, and any motor vehicle  
4 designated by the manufacturer as a 1963 year model or earlier  
5 which is not equipped with an occupant protection system.

6 (2) Whenever any licensed physician determines, through  
7 accepted medical procedures, that use of a child passenger  
8 restraint system by a particular child would be harmful by reason  
9 of the child's weight, physical condition, or other medical reason,  
10 the provisions of subsection (1) of this section shall be waived.  
11 The driver of any vehicle transporting such a child shall carry on  
12 his or her person or in the vehicle a signed written statement of  
13 the physician identifying the child and stating the grounds for  
14 such waiver.

15 (3) The drivers of authorized emergency vehicles shall  
16 not be subject to the requirements of subsection (1) of this  
17 section when operating such authorized emergency vehicles pursuant  
18 to their employment.

19 (4) A driver of a motor vehicle shall not be subject to  
20 the requirements of subsection (1) of this section if the motor  
21 vehicle is being operated in a parade or exhibition and the parade  
22 or exhibition is being conducted in accordance with applicable  
23 state law and local ordinances and resolutions.

24 (5) The Department of Motor Vehicles shall develop and  
25 implement an ongoing statewide public information and education  
26 program regarding the use of child passenger restraint systems and  
27 occupant protection systems and the availability of distribution  
28 and discount programs for child passenger restraint systems.

1           (6) All persons being transported by a motor vehicle  
2     operated by a holder of a provisional operator's permit, ~~or~~ a  
3     school permit, an LPD-learner's permit, or an LPE-learner's permit  
4     shall use such motor vehicle's occupant protection system.

5           Sec. 11. This act becomes operative on January 1, 2006.

6           Sec. 12. Original sections 60-462, 60-480, 60-4,112,  
7     60-4,120.01, 60-4,120.02, 60-4,123, 60-4,124, 60-4,125, and  
8     60-6,267, Reissue Revised Statutes of Nebraska, are repealed.

9           Sec. 13. The following section is outright repealed:  
10    Section 60-4,123.01, Reissue Revised Statutes of Nebraska.